

# Exhibit A



## IN THE 32ND JUDICIAL CIRCUIT, CAPE GIRARDEAU COUNTY, MISSOURI

Judge or Division: BENJAMIN FREDERICK LEWIS	Case Number: 20CG-CC00254	Service Copy
Plaintiff/Petitioner: ERICA L CAMP	Plaintiff's/Petitioner's Attorney/Address MICHAEL L JACKSON ATTORNEY AT LAW 1028 N KINGSHIGHWAY STE 1 CAPE GIRARDEAU, MO 63701	
Defendant/Respondent: FCS US LLC	Court Address: 203 NORTH HIGH STREET JACKSON, MO 63755	
Nature of Suit: CC Pers Injury-Prod Liab		

(Date File Stamp)

## Summons in Civil Case

The State of Missouri to: FCS US LLC

Alias:

C/O CT CORPORATION SYSTEM  
120 SOUTH CENTRAL AVENUE  
ST. LOUIS, MO 63105

COURT SEAL OF



CAPE GIRARDEAU COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

August 20, 2020

Date

/s/ Jana Walther, Deputy Clerk

Clerk

Further Information:

## Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with \_\_\_\_\_, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: \_\_\_\_\_ (name) \_\_\_\_\_ (title).
- ☐ other: \_\_\_\_\_

Served at \_\_\_\_\_ (address)  
in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_

Date

Notary Public

## Sheriff's Fees, if applicable

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00

Mileage \$ \_\_\_\_\_ (\_\_\_\_\_ miles @ \$.\_\_\_\_\_ per mile)

Total \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on **each** defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



## IN THE 32ND JUDICIAL CIRCUIT, CAPE GIRARDEAU COUNTY, MISSOURI

SB 9/19

Judge or Division: BENJAMIN FREDERICK LEWIS	Case Number: 20CG-CC00254
Plaintiff/Petitioner: ERICA L CAMP	Plaintiff's/Petitioner's Attorney/Address MICHAEL L JACKSON ATTORNEY AT LAW 1028 N KINGSHIGHWAY STE 1 CAPE GIRARDEAU, MO 63701
Defendant/Respondent: FCS US LLC	Court Address: 203 NORTH HIGH STREET JACKSON, MO 63755
Nature of Suit: CC Pers Injury-Prod Liab	

Return  
Copy

(Date File Stamp)

## Summons in Civil Case

The State of Missouri to: FCS US LLC

Alias:

C/O CT CORPORATION SYSTEM  
120 SOUTH CENTRAL AVENUE  
ST. LOUIS, MO 63105

COURT SEAL OF



CAPE GIRARDEAU COUNTY

August 20, 2020

Date

/s/ Jana Walther, Deputy Clerk

Clerk

Further Information:

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

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☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with \_\_\_\_\_, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.  
☒ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: \_\_\_\_\_ (name) \_\_\_\_\_ (title).  
☐ other: \_\_\_\_\_

Served at \_\_\_\_\_ CT CORPORATION  
 in \_\_\_\_\_ St. Louis County \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ SEP 15 2020 \_\_\_\_\_ (date) at \_\_\_\_\_ 9 AM \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_

Date

Notary Public

## Sheriff's Fees, if applicable

Summons \$ \_\_\_\_\_  
 Non Est \$ \_\_\_\_\_  
 Sheriff's Deputy Salary \_\_\_\_\_  
 Supplemental Surcharge \$ 10.00  
 Mileage \$ \_\_\_\_\_ (\_\_\_\_\_ miles @ \$ \_\_\_\_\_ per mile)  
 Total \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

20-SMCC-8581

SEP 08 2020

 RECEIVED  
 ST. LOUIS COUNTY  
 SHERIFF'S OFFICE  
 2020 SEP-8 AM 9:22

*Return  
copy*

*2/1/20*

THOMAS E. JACKSON  
ATTORNEY AT LAW  
100 NORTH HIGHWAY 20  
CAPE GIRARDEAU, MO 63703  
PHONE: 336-2222  
FAX: 336-2223  
WWW.TEJACKSON.COM

**Summons in Civil Case**

*8/20/20*

U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF MISSOURI  
100 NORTH HIGHWAY 20  
CAPE GIRARDEAU, MO 63703

YOU are summoned to appear before this court in the case of  
THOMAS E. JACKSON, Plaintiff, vs. [Name], Defendant.  
The complaint alleges that you have breached a contract with  
the Plaintiff. You are required to appear in court on the date  
indicated below to answer the complaint and to defend against  
the allegations made therein. Failure to appear may result in  
a default judgment being entered against you.

INTAKE SPECIALIST

LCW - B. LOVE

CT CORPORATION

St. Louis County

SEP 15 2020

9 AM

20-2000-200

**IN THE CIRCUIT COURT OF CAPE GIRARDEAU COUNTY  
STATE OF MISSOURI**

**ERICA LEA CAMP,  
362 South Mill Street  
Festus, Missouri 63028**

**Plaintiff,**

**vs.**

**Case No. \_\_\_\_\_**

**FCA US LLC,  
Serve: CT Corporation System  
120 South Central Avenue  
Clayton, Missouri 63105**

**Defendant.**

**PETITION FOR DAMAGES**

**COMES NOW** the Plaintiff, Erica Lea Camp, by counsel, Michael L. Jackson of the Law Offices of Michael L. Jackson, LC, and for her claim and cause of action against the Defendant, FCA US LLC, states:

1. Plaintiff is an individual residing at 362 South Mill Street in the City of Festus, County of Jefferson, State of Missouri.
2. The Defendant, FCA US LLC, (herein referred to as "FCA"), a Delaware Limited Liability Company which maintains its principal place of business in Auburn Hills, Michigan; is licensed to conduct business in the State of Missouri; and maintains as its registered agent for service of process in the State of Missouri, CT Corporation Systems, 120 South Central Avenue, Clayton, Missouri 63105.
3. The Defendant FCA is the successor in interest to various Chrysler entities responsible for the design, manufacture, testing, marketing and distribution the 2012 Chrysler 200 automobile which the Defendant FCA has marketed and sold in the State of Missouri.



4. Plaintiff brings this action for injuries suffered by Plaintiff in an auto accident, as the front seat passenger in a 2012 Chrysler 200 automobile manufactured by the Defendant FCA and/or its predecessor Chrysler entities, due to the misfiring of a dangerous and defective Takata airbag installed in the Chrysler 200 vehicle by Defendant FCA and/or its predecessor Chrysler entities.

5. As more fully described below, the Plaintiff's claim and cause of action arose and accrued in the City and County of Cape Girardeau, Missouri, the site of the auto collision in which the plaintiff was injured due to the dangerous and defective condition of the aforementioned 2012 Chrysler 200 automobile.

6. Defendant FCA, and its predecessor Chrysler entities, for which this Defendant FCA has assumed responsibility, in the marketing and distribution of its automobiles, including the Chrysler 200, throughout the United States and in the State of Missouri, and having committed a tortious act within this State, has sufficient contacts with the State of Missouri to warrant the assumption of personal jurisdiction by this Court over the Defendant FCA pursuant to Section 506.500 RSMo.

7. On 15<sup>th</sup> of August, 2015, at approximately 9:05 p.m., the Plaintiff, Erica L. Camp, was the front right seat passenger in a 2012 Chrysler 200 operated by Plaintiff's co-worker and friend, Whitney Nanney, traveling eastbound on Route K, a heavily traveled roadway within the City and County of Cape Girardeau, Missouri.

8. On 15<sup>th</sup> day of August, 2015, at approximately 9:05 p.m. as the 2012 Chrysler 200 in which Plaintiff was riding entered the Intersection of Route K and Mount Auburn Road in Cape Girardeau, Missouri, to negotiate a lawful left turn onto Mount Auburn Road, the driver of a 2005 Chevrolet automobile, traveling at a high rate of speed in the westbound, outside lane of the same

Route K, ran a steady red light causing the front end of the 2005 Chevrolet automobile to violently collide with the passenger side of the 2012 Chrysler 200 in which the Plaintiff was riding.

9. The 2012 Chrysler 200 in which Plaintiff was riding on May 15, 2015 was equipped with a side curtain airbag on the passenger side, designed to protect the vehicle's front seat passenger, (the Plaintiff herein) from head and brain injuries typically suffered during rollovers and high impact side collisions such as that collision in which the 2012 Chrysler 200 was involved on May 15, 2015.

10. During the course of the August 15, 2015 automobile accident described herein, upon the initial impact, the passenger side curtain airbag failed to deploy and the Plaintiff's head violently struck the passenger side window and door frame.

11. Following the initial impact and failed deployment of the passenger side curtain airbag as described above, the same airbag aggressively deployed, striking Plaintiff violently in the head.

12. As a direct and proximate result of the malfunction of the passenger side curtain airbag as described herein and the resultant two violent impacts to the Plaintiff's head, the Plaintiff suffered severe and debilitating injuries to the Plaintiffs head, neck and body as a whole, including traumatic, permanent injuries to the Plaintiff's brain.

### **COUNT I-NEGLIGENCE**

Comes now Plaintiff and for Count I of her claim and cause of action herein, states:

13. Plaintiff realleges and incorporates, as if fully set forth herein, each and every allegation of paragraphs 1-12 above.

14. Defendant FCA and its predecessor Chrysler entities designed, manufactured, marketed, distributed and placed in the stream of commerce and sold the 2012 Chrysler 200 in

which the Plaintiff was riding on August 15, 2015, including the Takata airbag systems installed therein.

15. At the time of the design, manufacture, assembly, inspection, testing installation distribution and placing into the stream of commerce the 2012 Chrysler 200 automobile in which the Plaintiff was riding on August 15, 2015, it was a matter of common knowledge that a high incidence of injury producing motor vehicle collisions occur upon the streets and highways and that a significant portion of all motor vehicles are involved in collisions at some time during their use.

16. As an automotive designer, manufacturer, marketer, installer, distributor and seller, Defendant FCA and its predecessor Chrysler entities knew that many users of the Defendant FCA's automobiles would be involved in motor vehicle collisions and the incidence and extent of the user's injuries would frequently be determined by the design, construction and performance of the active and passive safety restraints manufactured and installed within the Defendant's automobiles, including the vehicle's airbags.

17. Defendant FCA and its predecessor Chrysler entities owed to the general public, including Plaintiff Erica Lea Camp, the duty to exercise reasonable care to design, manufacture, assemble, inspect and test the active and passive safety restrain systems contained within the Defendant's vehicle, including the vehicle airbags, so as to place in the stream of commerce and sell reasonably safe automobiles, with properly functioning and reasonably safe safety restraint stems, so as not to subject occupants of the vehicle to an unreasonable risk of harm during a foreseeable crash.

18. Defendant FCA and its predecessor Chrysler entities failed to exercise reasonable care in the design and manufacture of the 2012 Chrysler 200 in which the Plaintiff was riding on



August 15, 2015, and in the use, in particular, of the Takata airbags which the Defendant installed in said vehicle, airbags which have been determined to be defective and unsafe and have resulted in numerous nationwide safety recalls, including a safety recall issued for the very 2012 Chrysler 200 which injured this Plaintiff on August 15, 2015.

19. The 2012 Chrysler 200 in which Plaintiff was riding on August 15, 2015 was defective in that the Takata airbags installed therein malfunctioned as described herein.

20. Defendant FCA and its predecessor Chrysler entities, for which this Defendant has assumed responsibility, breached their duty to the public and this Plaintiff in particular to use ordinary care in the design, manufacture and testing of the 2012 Chrysler 200 and the component parts thereof, including the defective Takata airbags which the Defendant FCA and its predecessor Chrysler entities installed therein, and were thereby negligent.

21. As a direct and proximate result of the carelessness and negligence of the Defendant FCA, as described herein, Plaintiff has suffered permanent and severe personal injury and damages, including but not limited to:

- a. Past medical and rehabilitation costs;
- b. Future medical and rehabilitation costs;
- c. Loss of earnings and impaired earning capacity;
- d. Loss of enjoyment of life;
- e. Pain and suffering; and
- f. Emotional distress.

22. Prior to the August 15, 2015 crash, Defendant FCA and its predecessor Chrysler entities either knew or should have known that the Takata airbag systems installed in the

Defendant's Chrysler vehicles were defective and dangerous and ineffective to prevent the type of injuries suffered by this Plaintiff.

23. The actions of Defendant FCA and its predecessor Chrysler entities, as described herein, evidence a complete indifference to or conscious disregard for the safety of others, including the Plaintiff, Erica Lea Camp, justifying the imposition of punitive damages against Defendant FCA in an amount sufficient to punish Defendant FCA for its wrongful conduct and to deter Defendant FCA and others similarly situated from future similar conduct.

WHEREFORE, Plaintiff for Count I of her claim and cause of action herein prays for judgment against the Defendant FCA in such amount as will fairly and adequately compensate the Plaintiff for her injury and damages, in excess of the minimum jurisdictional limits of this court; for punitive damages, pre-judgment interest and costs and for such other and further relief as to the Court may seem just and proper in the premises.

## **COUNT II- STRICT PRODUCT LIABILITY**

Comes now the Plaintiff, Erica Lea Camp, by counsel, and for Count II of her claim and cause of action herein, states:

24. Plaintiff realleges and incorporates as if fully set forth herein, each and every allegation of paragraphs 1-12 and 14-21 above.

25. At all times herein, the Defendant FCA and its predecessor Chrysler entities were actively engaged in the business of designing, manufacturing, marketing, distributing and selling automobiles, including the 2012 Chrysler 200 in which the Plaintiff was riding on August 15, 2015.

26. Defendant FCA and its predecessor Chrysler entities designed, manufactured, marketed, distributed and placed into the stream of commerce the subject 2012 Chrysler 200, in the normal course of Defendant's business.

27. At the time of the August 15, 2015 collision, the subject 2012 Chrysler 200 was being used in a manner reasonable anticipated and intended by Defendant FCA and its predecessor Chrysler entities.

28. Defendant FCA and its predecessor Chrysler entities knew that the 2012 Chrysler 200 would be used by consumers, including Plaintiff Erica Lea Camp, without substantial change in the condition in which the vehicle was sold; would be used without inspection for defects; and represented that the vehicle could be safely used and would be fit for the ordinary purposes for which the vehicle was purchased.

29. At the time that the subject 2012 Chrysler 200 left the control of Defendant FCA and its predecessor Chrysler entities, and at the time of the August 15, 2015 collision, the subject 2012 Chrysler 200 and in particular the Takata airbags installed therein were defective and unreasonably dangerous, in those respects herein described.

30. The Defendant FCA and its predecessor Chrysler entities knowingly, negligently and recklessly designed, manufactured, marketed, distributed, and placed into the stream of commerce the subject 2012 Chrysler 200, including the airbag systems installed therein, which were in a defective and unreasonably dangerous condition put to a reasonably anticipated use.

31. The defect and unreasonably dangerous conditions associated with the subject 2012 Chrysler 200 existed when the subject vehicle left the control of the Defendant FCA and its predecessor Chrysler entities and persisted through the date of Plaintiff's injuries.

WHEREFORE, for Count II of its claim and cause of action herein, Plaintiff prays for Judgment against the Defendant FCA in such amount as will fairly and adequately compensate the Plaintiff for her injury and damages, in excess of the minimum jurisdictional limits of this court; for punitive damages, pre-judgment interest and costs; and for such other and further relief as to the Court may seem just and proper in the premises.

LAW OFFICES OF  
MICHAEL L. JACKSON, LC

BY: 

Michael L. Jackson #32190  
1028 N. Kingshighway, Suite 1  
Cape Girardeau, Missouri 63701  
(573) 803-3176 Telephone  
(573) 803-3295 Facsimile  
Email: mlj@mljacksonlaw.com  
ATTORNEY FOR PLAINTIFF



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Document ID - 20-SMCC-625; Served To - FCS US LLC; Server - ST LOUIS COUNTY SHERIFFS OFFICE; Served Date - 15-SEP-20; Served Time - 00:00:00; Service Type - Sheriff Department; Reason Description - Served; Service Text - SERVED TO LCW - B. LOVE, INTAKE SPECIALIST

**09/17/2020** ☐ [Notice of Service](#)

20-SMCC-625; Electronic Filing Certificate of Service.

**08/20/2020** ☐ [Summons Issued-Circuit](#)

Document ID: 20-SMCC-625, for FCS US LLC.

☐ [Case Review Scheduled](#)**Scheduled For:** 12/07/2020; 9:00 AM ; BENJAMIN FREDERICK LEWIS; Cape Girardeau (Jackson)**08/15/2020** ☐ [Note to Clerk eFiling](#)**Filed By:** MICHAEL L JACKSON☐ [Confidential Address Filed](#)

Case Filing Information Sheet.

**Filed By:** MICHAEL L JACKSON**On Behalf Of:** ERICA L CAMP**08/14/2020** ☐ [Filing Info Sheet eFiling](#)**Filed By:** MICHAEL L JACKSON☐ [Pet Filed in Circuit Ct](#)

Petition for Damages.

**Filed By:** MICHAEL L JACKSON**On Behalf Of:** ERICA L CAMP☐ [Judge Assigned](#)